

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILMER B. GAY,
Plaintiff

v.

VINCENT MOONEY,
WILLIAM FULMER,
Defendants

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CIVIL ACTION

No. 02-4693

ORDER

AND NOW, this 20th day of June, 2005, upon consideration of plaintiff's Motion for Judicial Notice of Video Deposition Convened June 10, 2005 (Paper #77), and defendant Mooney's response thereto (Paper #78), and it appearing that

- (a.) a copy of the deposition transcript will be attached to defendant Mooney's summary judgment motion and
- (b) defendant Mooney will be required to provide the original copy of plaintiff's "kitchen area sketch," if the case proceeds to trial,

it is **ORDERED** that plaintiff's Motion (Paper #77) is **DENIED** as moot.

/s/ Norma Shapiro

Norma L. Shapiro, S.J.